IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 11TH JANUARY 2007 / 21ST PAUSHA 1928

Bail Appl..No. 7766 of 2006()

CRMP.5875/2006 of ADDL.SESSIONS COURT, THODUPUZHA
CRIME NO.295/05 OF MUNNAR POLICE STATION

.....

: PETITIONER:

PALAYYA @ MADASWAMY,
S/O.PALAYYA, AGED 48 YEARS,
HOUSE NO.20/229, NAYAMAKKADU ESTATE,
EAST DIVISION, K.D.H. VILLAGE.

BY ADV. SRI.N.K.SHYJU

RESPONDENTS:

THE KERALA STATE,
REPRESENTED BY PUBLIC PROSECUTOR.

BY PUBLIC PROSECUTOR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

- - - - - - - - - - - - - - - - -

BAIL APPLICATION NO.7766 OF 2006

- - - - - - - - - ---------- - - - - -

DATED THIS THE 11th DAY OF JANUARY, 2007

O R D E R

Petitioner who is the accused in Crime No.295/05 of Munnar Police Station for an offence punishable under section 55 (a) of the Abkari Act for allegedly having found in possession of two litres of arrack on 31.12.2005, seeks anticipatory bail.

2. Learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed.

With this direction, this petition is disposed of.

V.RAMKUMAR, JUDGE

dsn